

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BARRY MORRIS,

Plaintiff,

v.

JOHN BALDWIN, et al.,

Defendants.

No. 17-1033-DRH

MEMORANDUM and ORDER

HERNDON, District Judge:

Pending before the Court is a December 3, 2018 Report and Recommendation (“the Report”) issued by Magistrate Judge Reona J. Daly (Doc. 139). Magistrate Judge Daly recommends that the Court grant several motions to dismiss filed by defendant Wexford Health Sources, Inc., the IDOC defendants and defendant Siddiqui (Docs. 122, 125 & 130). Further, Judge Daly recommends that Count I should proceed only against the Illinois Department of Corrections and that plaintiff be granted 14 days to seek leave to file a Fourth Amended Complaint.

The Report was sent to the parties with a notice informing them of their right to appeal by way of filing “objections” within 14 days of service of the Report. To date, none of the parties has filed objections. The period in which to file objections has expired. Therefore, pursuant to 28 U.S.C. § 636(b), this Court need not conduct *de novo* review. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1985).

Accordingly, based on the reasons contained in the Report, the Court **ADOPTS** the Report in its entirety (Doc. 139). The Court **GRANTS** defendant Wexford Health Sources, Inc.'s motion to dismiss Count (Doc. 122); the IDOC defendants' motion to dismiss (Doc. 125) and defendant Siddiqui's motion to dismiss (Doc. 13). Plaintiff's count I shall proceed only against the Illinois Department of Corrections. Further, the Court **ALLOWS** plaintiff up to and including January 3, 2019 to seek leave to file a Fourth Amended Complaint

IT IS SO ORDERED.

David Herndon



Judge Herndon

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United States District Judge